



Appeal Decision

Site visit made on 24 September 2025

by **E Catcheside BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th October 2025

Appeal Ref: APP/L5240/W/25/3365101

Queens Court, Colliers Water Lane, Thornton Heath, Croydon CR7 7LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Thorcourt Estates Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/04146/FUL.
 - The development proposed is creation of residential units at the second floor over existing residential floors, together with private amenity space, play space, cycle stores and bin store.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal was accompanied by a signed and dated unilateral undertaking (UU) which includes provisions for financial contributions towards sustainable transport initiatives and measures to prevent residents from parking on-street. Having reviewed the UU, the Council has stated that the third reason for refusal on the decision notice has been overcome; and I have considered the appeal on this basis. I shall set out my approach to the UU insofar as it relates to parking controls later in this decision. However, because I am dismissing the appeal for other reasons, it is not necessary for me to consider the contributions to sustainable transport initiatives any further.

Main Issues

3. The main issues are:
 - the effect of the proposal on car parking and highway safety; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Car parking and highway safety

4. When read together with Table 10.3, Policy T6.1 of The London Plan (March 2021) sets out the parking standards for sites such as this with a Public Transport Accessibility Level (PTAL) of 3. Unlike developments with a higher PTAL, the proposal is not expected to be car-free. However, the standards are maximum standards and do not preclude a lesser amount of parking from being provided where appropriate.

5. The PTAL rating indicates that the site has moderate accessibility to public transport. However, the shops and services on London Road are a short walk from the site; and bus services to the wider area operate from Colliers Water Lane. Rail services to Central London are also available from Thornton Heath station, which is within a reasonable walking or cycling distance from the site. Future residents would, therefore, have good access to services and facilities without reliance on the private car for transport.
6. Policy T6 of the LonP states that car-free development, such as is proposed, should be the starting point for all development proposals that are well-connected by public transport; and Policy DM30 of the LP expects developments to reduce the impact of car parking in areas of existing on-street parking stress. In these circumstances, it is acceptable for the proposal to be car-free.
7. Nonetheless, with no parking provided on the site, any future residents who choose to own a vehicle would have to find a parking space elsewhere, including on the surrounding streets. There are currently few parking restrictions on Colliers Water Lane, and I observed that the street was heavily parked at the time of my site visit, with very limited opportunity for further parking. There is little evidence to indicate that this parking stress is alleviated at other times of the day or throughout the year. Rather, I have been referred to a petition by residents seeking the implementation of a controlled parking zone (CPZ), which cites a consistent lack of parking availability in the area. In this context, the proposal would cause a harmful exacerbation of the parking stress that already exists in the area, leading to congestion and an increased risk of unsafe parking practices to the detriment of highway safety.
8. Car-free developments are only effective in areas that are within a CPZ where parking without a permit is usually time-limited and/or expensive, making it impractical. The absence of local on-street parking controls should not, in and of itself, be a barrier to new development, as is set out in Policy T6 of the LonP. However, the development plan and the National Planning Policy Framework require proposals to safeguard highway safety, and that is the key issue here.
9. The UU includes provisions to prevent occupants of the new dwellings from applying for a resident's parking permit should a CPZ be introduced. There is no indication before me that a CPZ is likely to be introduced in the near future. Nonetheless, I am satisfied that the obligation would be necessary and reasonable given the parking stress in the area and the implications for highway safety. However, the obligation would not take effect unless and until a CPZ is implemented and, therefore, it would not effectively mitigate the nearer term impacts of the development on car parking.
10. In the absence of a CPZ, the UU seeks to prevent future residents from parking a vehicle on-street via the contractual arrangements for the sale or letting of the properties. However, the details of any such agreement would be a private matter between the owner of the site and any future occupiers; and there would be practical difficulties for the Council in establishing whether any such agreement had been breached. Consequently, the measures proposed would not be enforceable. It follows that there is no effective mechanism before me that would prevent future occupiers from parking on the street prior to any future implementation of a CPZ, which may or may not happen.

11. I note that a separate planning application for car parking spaces along the site's frontage has been submitted. I do not know the outcome of that application and, therefore, there is no guarantee that the parking spaces would be provided. I have therefore necessarily considered the proposal as it has been advanced, which is as a car-free development.
12. I conclude on this main issue that the proposal would exacerbate parking stress resulting in congestion and harm to highway safety. It follows that there would be conflict with Policies SP8, DM29, and DM30 of the LP and Policies T4, T6 and T6.1 of the LonP which, amongst other things, seek to ensure that developments provide appropriate levels of car parking and safeguard highway safety.
13. The decision notice refers to Policy T5 of the LonP, which seeks to ensure that proposals promote cycling, including through the provision of cycle parking facilities. The evidence does not lead me to identify any concerns regarding cycle parking and, therefore, I do not find Policy T5 of the LonP to be determinative to my consideration of this main issue.

Character and appearance

14. The appeal site lies at the southern end of Colliers Water Lane, where most of the buildings are two-storeys high with similar architectural features and a broadly consistent building line. As a large block of flats that is set back deeply from the street, the host property stands apart from those defining characteristics of the area. The building has strong symmetry, with a 3-storey central section and parapet roof that rises above the two-storey, hipped roof elements to the sides.
15. The proposed development would increase the overall height and scale of the building. However, the mansard-style roof extensions would be set down and set back from the central raised parapet which, due to its height and the proposed materials and detailing, would be retained as the principal feature of the building when viewed from the road. Moreover, the additional windows would broadly mirror the spacing and alignment of the existing fenestration, enabling them to integrate harmoniously into the front elevation. Whilst the proposed building would be larger than the existing structure, it would broadly reflect its form, proportions, and composition such that the extensions would not be overly dominant or visually harmful to the appearance of the building or the street scene.
16. The proposed additional staircases and balconies would inevitably be visible from the properties to the rear. However, the rear elevation of the building is already characterised by similar structures; and the additions would not be unduly prominent or harmful in those views. In that regard, the proposal differs from the appeal scheme at 54 Buckingham Avenue¹ where the Inspector found the proposal would be uncharacteristic to the area and prominent in views from surrounding dwellings.
17. Overall, I conclude that the proposal would safeguard the character and appearance of the area. Therefore, there would be no conflict with Policies DM10 of the LP and Policies D3 and D4 of the LonP, which seek to secure high quality design that respects and responds to the site's context, including in respect of development patterns, layout, scale, and height, amongst other things.

¹ Appeal reference number: APP/L5240/D/25/3358369, dated 30 May 2025

18. The decision notice refers to Policy D5 of the LonP, which seeks to ensure developments achieve inclusive design. The evidence does not point to concerns regarding accessibility or inclusion; and I see no reason to find harm in this regard. Therefore, Policy D5 of the LonP has not been determinative to my consideration of this main issue.

Planning Balance and Conclusion

19. I have not identified any harm would be caused to the character and appearance of the area. However, there would be inadequate car parking which would cause harm to highway safety. The conflict with the associated development plan policies in this regard brings the proposal into conflict with the development plan when read as a whole.
20. No harm has been identified by the Council in respect of the principle of additional housing in this location, the housing mix, the standard of accommodation proposed and the effect on neighbouring residents, flooding, climate change, or fire safety. Based on the evidence, I see no reason to take a different view. The absence of harm weighs neither for nor against the proposal.
21. The proposal would make more efficient use of this previously developed site, and it would contribute towards the supply of housing in the area. These factors carry weight in support of the proposal. However, the positive weight is limited due to the small scale of the proposal, and it does not outweigh the harm I have identified.
22. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

E Catcheside
INSPECTOR